

United States Courts
Southern District of Texas
FILED

February 14, 2024

Nathan Ochsner, Clerk of Court

**United States Court of Appeals
for the Fifth Circuit**

United States Court of Appeals
Fifth Circuit

FILED

January 23, 2024

Lyle W. Cayce
Clerk

No. 22-20519

JANICE HUGHES BARNES, *Individually and as Representative of* THE
ESTATE OF ASHTIAN BARNES, *Deceased*; TOMMY DUANE BARNES,

Plaintiffs—Appellants,

versus

ROBERTO FELIX, JR.; COUNTY OF HARRIS, TEXAS,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:18-CV-725

Before HIGGINBOTHAM, SMITH, and ELROD, *Circuit Judges.*

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is AFFIRMED.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

No. 22-20519

PATRICK E. HIGGINBOTHAM, *Circuit Judge*, concurring.



Certified as a true copy and issued
as the mandate on Feb 14, 2024

Attest: *Jyle W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

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NEW ORLEANS, LA 70130

February 14, 2024

Mr. Nathan Ochsner
Southern District of Texas, Houston
United States District Court
515 Rusk Street
Room 5300
Houston, TX 77002

No. 22-20519 Barnes v. Felix
USDC No. 4:18-CV-725

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Dantrell L. Johnson, Deputy Clerk
504-310-7689

CC:

Mr. Tommy Duane Barnes
Mr. James Carroll Butt
Mr. Adam Fomby
Mr. Howard Rene Fomby, II
Ms. Rachel Susan Fraser